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LABOR LAW and relations in the Soviet Union have been the object of thorough and conclusive research in recent years. The accumulated studies[1] have widely augmented the conclusion that free labor relations have no counterpart in the Soviet Union. It could hardly be otherwise, for the very foundations of the Soviet political, economic and social structure exclude the recognition of any independent force other than the Communist Party government. Within the framework of a one-party political system, of a fully nationalized economy and of government-controlled trade unions, labor boards and courts, the search for any "Soviet equivalent" of free labor is doomed to failure. Due to the disappearance of private property and management in industry, the Soviet worker, in each and every phase of his activities, has to face directly the state authority which makes any transgression on his part an offense against the state. This basic situation has transformed Soviet labor law into a branch of penal legislation and has "simplified" the worker-employer relationship to the point where the employer, that is, the state, dictates while the worker must obey. The most outspoken example of the degeneration of labor's status is the Soviet concept of collective labor contracts which, by govern-

[1] The most authoritative and useful publications in English: Salomon M. Schwarz, *Labor in the Soviet Union* (New York: Praeger, 1952); Isaac Deutscher, *Soviet Trade Unions* (London & New York: Royal Institute of International Affairs, 1950); David Rousset, *Coercion of the Worker in the Soviet Union* (Boston: The Beacon Press, 1953); United States Department of Labor, *Elements of Soviet Labor Law* (Bull. No. 1026, May, 1951).

[2] From 1933 to 1947 collective bargaining was even formally abandoned, for "labor relations being regulated in all details by governmental mandatory acts, there is no room for any con-

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THIS PEEK AT WORKERS BEHIND THE IRON CURTAIN SHOWS THAT COMMUNIST BOSSES HAVE NEVER TOLERATED FREE LABOR UNIONS

000 ment regulation, exclude wage rates and standards of output from any bargaining. It is impossible to determine where, if anywhere, bargaining could take place, when governmental schedules fix every detail on wages and output and when "collective agreements" merely copy the relevant parts of these schedules and of other unilateral acts of the Soviet government.'

The essence of what the Soviets call labor law and relations having been sufficiently clarified in our scientific literature, it seems to be a logical step to analyze the corresponding situation in countries outside the Soviet Union but dominated by a Communist government. One of the purposes of such a study would be to ascertain whether Soviet-type Communism could be "different" if applied to countries with different backgrounds, traditions, and—specifically—different labor standards and problems, or whether the Soviet pattern has been followed blindly, without any regard for objective conditions.

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tractual agreement concerning labor conditions." (Alexandrov and Genkin, *Soviet Labor Law* (Moscow, 1946), p. 106, in Russian.) But even after 1947, the Soviet equivalent of "collective agreement" is nothing more than a model form prepared by the government with only the purpose of "making concrete the duties of the management, factory committees, workers, technical, engineering, and clerical personnel with a view of fulfilling and overfulfilling of the production plans . . ."—without, that is, any bargaining elements. Quotation from *Legislation Concerning Labor*, Goliakov, ed., (Moscow, 1947), p. 15, in Russian.

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105 The Bulgarian case seems particularly apropos for such a study. Unlike Czarist Russia or the countries of Asia, pre-Communist Bulgaria had developed a relatively free and advanced society. Within the framework of a most liberal and democratic constitution, of a social structure without any noticeable class differences and of a predominantly agricultural economy based on independent small landholdings, Bulgaria had produced a social legislation among the most progressive of our time. Native intelligentsia and labor alike represented only about 20 per cent of the population and were nothing more than recent offspring of the nation's backbone—the peasantry—so that no logical conflict of interests had a chance to develop in Bulgaria. Labor, in particular, had attained, as early as the twenties, the status of free labor with all necessary requisites, such as freedom of professional organization, free collective bargaining and impartial settlement of labor disputes, the right to strike, freedom of choosing and changing job, and a firm legal protection, including social security. In fact, by 1924, Bulgaria had incorporated into her domestic legislation all recommendations of the International Labor Office of the League of Nations.[2]

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668 In such a harmonious environment, Communism could not and did not have any chance of success. Still, Communist attempts to artificially create a "social problem" and exploit it for their own purposes go way back to the turn of the century, when, in 1903, a small group of Lenin's followers split from the Bulgarian Social-Democratic Party and formed a radical-revolutionary nucleus, known later

113 [2] For detailed background information and source material, see author's study *Trade Unions and Labor Legislation in Bulgaria (1878-1953)* (New York: Mid-European Studies Center, 1953).

668 on as the Bulgarian Workers' for Communist Party. Until the creation of the Bolshevik state in Russia, which threw its full support [162] behind the Communist organizations all over the world, the number of Bulgarian Communists, in spite of all efforts, never exceeded 5,000—less than 0.1 per cent of the entire population. Aware that parliamentary means could advance them no further, they resorted, under Moscow's guidance, to the only alternative with some probability of success: the forceful overthrow of the constitutional government. Yet, in 1919, 1923 and 1925, when three desparate attempts to seize power were made, the Bulgarian Communists lacked support by either the Red Army from outside, or infiltrated agents from within the government, so that their failure was complete. The only important result of those Communist experiments was that the Bulgarians and their "working class" were enabled to understand clearly the real intentions of Communism 30 years ago.

The preceding remarks seemed necessary in order to substantiate the conclusion that the pre-Communist Bulgarian reality proved to be an awkward ground for any Communist ac- [162] tivity. Even the Bulgarian workers (about 160,000 before the war) who were the primary Communist target did not find any particular appeal in Communist ideology and promises because there were no relevant reasons for dissatisfaction and many reasons for repudiating the Communist alternative. No risk is taken in assuming that, were it not for Bulgaria's invasion by the Red Army and the simultaneously staged Communist coup d'état, of September, 1944, Communism would never have taken hold in Bulgaria.[4]

[4] It is not well known that the Soviet Union declared war on Bulgaria when the latter had broken with Nazi Germany, had reestablished a democratic government, and was waiting for the armistice's signature with the Western Allies, whose attitude, at the time, is still

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The Communist experiment with Bulgaria is now ten years old. The evidence at hand is deemed more than sufficient for substantiating a case, with particular regard to labor law and relations.

In analyzing our primary source of evidence—Bulgaria's labor legislation—a sequence of important premises should be constantly borne in mind. The Bulgarian Communist Party, which is the one and only element of power, has fully subscribed to the theory and practice of the Communist Party of the Soviet Union. It has termed its form of government a "people's democracy" which "fulfills the functions of the dictatorship of the proletariat."[5] According to Lenin, the dictatorship of the proletariat represents "a power limited by nothing, by no law, directly based on violence."[6] It is, therefore, difficult, if at all possible, to take even Communist legislation at its face value, when it is known that the law is not binding on the highest repository of power—the Communist Party and government. Still, the existing legislation can be safely considered as the expression of a "minimum of violence" (the way toward the maximum being left open) and, as such, will necessarily reflect the guiding principles of Bulgarian labor law and relations.

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Another important premise is the Communist identification of party and government with the "working class" and the establishment of government ownership over capital and means of production. From labor's point of view, this situation means that in practice the workers are employees of a single owner—the Communist government—yet in theory are owners of their place of work and employers of themselves. This obvious nonsense has a definite purpose: to make impossible any "contrast" between capital and labor and, thus, to place the whole labor force under absolute governmental control. That is why "strike" is an unknown term in Communist labor law (you cannot strike against yourself), its equivalent having been identified as a capital

(Footnote 4 continued)
insufficiently clarified. For details, see Michael Padev, *Dimitrov Wastes No Bullets* (London: Eyre & Spottiswoode, 1948), Ch. VI; William B. King and Frank O'Brien, *The Balkans* (New York: Alfred A. Knopf, 1947), pp. 137-159, and author's study cited at footnote 3, pp. 11-14.

[5] Georgi Dimitrov, *Political Report to the 5th Congress of the Bulgarian Communist Party* (Sofia: 1949), in Bulgarian, p. 123.

[6] V. I. Lenin, *Collected Works* (Moscow: 1930), Vol. 9, Second Russian Edition, p. 95, in Russian.

[7] Constitution of the People's Republic of Bulgaria of 1947, full English translation in Andrew Gyorgy, *Governments of Danubian Europe* (New York: Rinehart & Company, Inc., 1949), Appendix, pp. 323-339.

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crime against the state and put within the proscription of Communist criminal law. Any transgression on the part of a worker is, therefore, a direct offense against the state authority. It is easily understandable why Communist criminal law has engulfed the great part of matters which usually pertain to labor legislation, and why even the latter is punitive rather than protective in character.

The basic legal documents related to labor law and relations in Communist Bulgaria are the constitution,[7] the Code of Labor[8] and the Statute of the Trade Unions.[9] They, of course, are supplemented by various acts which, according to the Communist doctrine of "normative acts,"[10] can and do supersede previous legislation, no matter what governmental body originated them.

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According to the constitution, labor, besides being "a right," is "a duty and a point of honor for every able-bodied citizen. It is the duty of every citizen to engage in socially useful labor and to work according to his powers and ability."[11] Of course, it is the government which enforces the observance of this constitutional norm and establishes the "social utility" of the work done. In practice, "the duty to work" is exemplified in the complete regimentation of Bulgaria's labor force.

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Two governmental agencies, the Office of Labor Cadres and the Main Board of Labor Reserves, are especially entrusted with the registration, distribution, recruitment and complete control of all available manpower from 14 years of age upward. Their basic tasks are, in Communist language, "to register the available labor force by finding and keeping at hand, through registration, all employed and unemployed workers; to find them appropriate jobs and, with respect to the fulfillment of the Five-Year Economic Plan, to meet the needs of the industrial, constructional, and other enterprises by guaranteeing to them the necessary manpower . . . . Workers who leave their jobs arbitrarily and without excusable

[7] *Izvestiya na Presidiuma na Narodnoto Sobranje*, Year II, No. 91, November 13, 1951, in Bulgarian.

[8] *Ustav na Professionalnite Suyuzi v Narodnata Republica Bulgaria* (Statute of the Trade Unions in the People's Republic Bulgaria), approved by the Third Congress of the Bulgarian trade unions, December, 1951 (Sofia: *Profizdat*, 1952), in Bulgarian.

[10] In Communist jurisprudence, any act of a central governmental authority prevails upon preceding legislation, without distinction of formal superiority. The "doctrine of normative acts" is summarized in United States Department of Labor bulletin cited at footnote 1, pp. 5 and 6.

[11] Art. 73.

464 reasons, [illegible] thereby affect the labor discipline and the fulfillment of the production plans of the enterprises, have to be reported to the Office of Labor Mobilization . . . ."[13] The Board of Labor Reserves, in particular, obtains manpower "in two ways: through organized drafting of manpower from villages and towns—these persons will go directly into production—and through the preparation of skilled labor cadres in the schools for labor reserves."[14]

466 681 It should be clear that the Communist authorities not only decide a youth's profession for good but they also deprive any Bulgarian worker of even an elementary freedom of choice and movement. A Bulgarian citizen must either submit to the governmental labor agencies or be "mobilized" for work by the Office of Labor Mobilization. Further disobedience leads to confinement to "labor-educational work," that is, forced labor camps, under the Law on the People's Militia[15] or to punishments under the Penal Code. The desire for complete control over the labor force is further evidenced by the elimination of any unemployment insurance from Bulgaria's social legislation.

466 [671] But the full captivity of the Bulgarian worker appears even clearer when one considers some of the provisions of the Labor Code as well as some supplementary legislation. Thus, Article 26 of the code officially sanctioned the right of the government to transfer workers and employees "to a different work in the same or another enterprise or in another locality, even without their consent, on order by the respective minister." And Article 2 of the Law for Establishing Stability of the Labor Force in the Enterprises and Offices[16] explicitly prohibited "the arbitrary quitting of the job," under threat of heavy penalties in Article 4, such as imprisonment for up to four months or corrective labor for up to one year, if no greater offense of the Penal Code is envisaged. These acts violate a basic human

[13] Newspaper *Izgrev*, March 8, 1951 (Bulgarian).

[14] *Rabotnichesko Delo* (Worker's Deed), organ of the Bulgarian Communist Party, May 14, 1952 (Bulgarian). The Board was created by Ordinance No. 199 of the Council of Ministers, in *Izvestiya na Presidiuma na Narodnoto Sobranje*, Year III, No. 45, April 25, 1952.

[15] *Durzhaven Vestnik*, No. 69, March 25, 1948 (Bulgarian). For details on Bulgarian forced labor legislation and practice, cf. Roger N. Baldwin, ed., *A New Slavery* (New York: Oceana Publications, 1953), chapter on Bulgaria based on author's research. See also United Nations, *Report of the Ad Hoc Committee on Forced Labour* (Geneva: E/2431, 1953).

185] **The administration [vocational rehabilitation] program provides that during 1955, 70 thousand persons would be rehabilitated, 100 thousand in 1956, and the number would be progressively increased until 1959 some 200 thousand disabled persons would be rehabilitated and returned to useful work.—James P. Mitchell**

466 right of freedom on the job and a legal principle requesting mutual consent for any modification of existing conditions.[28]

The check upon the workers' movement is performed via so-called "personal passports" and "workbooks." The first, issued by the police and the second by the first employer are labelled "official documents" and must be presented on request. According to the provisions of the Labor Code, as well as of the special Decree for Workbooks," every worker is required to present his workbook, in order to be eligible for any kind of job. The book contains the whole employment record and, specifically, "the reason for the discontinuation" of a previous job.[29] It is kept by the employer and is aimed primarily at the prevention of arbitrary quitting.

471 Before discussing the core of labor relations—collective bargaining—it is important to recall the main characteristics of the parties between which the bargaining is supposed to take place. Due to the complete disappearance of private ownership in industry, the one and only owner and employer in Bulgaria is the Communist state. And bargaining with the state, even if duly protected, is always burdensome, especially when such protection is entirely lacking. In fact, Bulgaria's form of government being that of a dictatorship of the proletariat, that is, "a power limited by nothing . . . directly based on violence,"[30] and the sole repository of power being the Communist Party and government, all protective in-

[28] *Izvestiya na Presidiuma na Narodnoto Sobranje*, Year IV, No. 14, February 17, 1953.

[29] The Bulgarian Communists themselves seem to have been embarrassed by the shockingly frank language of the Stability Law (cf. author's study cited at footnote 3, p. 20, quoting speach by Vice-President Yugov), so that they repealed it nine months later (*Izvestiya na Presidiuma na Narodnoto Sobranje*, Year IV, No. 90, November 10, 1953). No change in the actual situation has been reported, however.

[30] *Izvestiya na Presidiuma na Narodnoto Sobranje*, Year IV, No. 26, March 31, 1953.

[31] Art. 17, par. 2 of the Labor Code, and Art. 6 (g) of the Decree for Workbooks.

[32] See footnote 6.

471 stitutions in a democratic society, such as the legislature, courts, labor boards and media of public opinion, are now agencies of the employer.

467 But even the alleged representatives of the workers—the Communist trade unions—are an arm of the same government-employer. Theoretically excluding any possibility of labor conflict, the Communist system has transformed the trade unions from organizations defending the workers' interests into governmental agencies enforcing official economic policy. In fact, ever since the creation of the Communist trade unions in Bulgaria, centralized in the General Workers Professional Union,[20] their main task has been to enact regulations concerning output, punishments against sabotage, labor discipline, higher norms, competitions, and to warn against wage increases, disorders and inefficiency in production.[21] The Statute of the Trade Unions itself entrusts them with "mobilizing all workers and employees in the enterprises and offices for the fulfillment and overfulfillment of the production plan, strengthening of labor discipline, and developing of socialist competition."[22]

A clear statement about what Bulgarian trade unions can and cannot do was published in the official union organ *Trud* shortly after the enactment of the Labor Code and the Trade Unions' Statute: "Due to the fact that the people's democratic state is one of the forms of the proletarian dictatorship . . . it is natural that the trade unions, which in the past were an enemy of the bourgeois state and the bourgeois structure, are today one of the main levers of the people's democratic state, first assistant of the Party in strengthening and leading to complete victory the socialist social structure. Therefore, it is now incorrect to speak in defense of the workers' and employees' interests, as it was in the past, and the trade unions do not and cannot have such a task . . . . The basis for the activity of the trade unions in the people's democ-

[20] The General Workers Professional Union (*Obsht Rabotnicheski Professionalen Suyuz*) is composed of individual trade unions which are organized according to the "production principle," that is, disregarding the workers' profession and taking into account the place of work only. The Statute of the Trade Unions, cited at footnote 9, is a carbon copy of the Soviet statute, the English translation of which is in Isaac Deutscher's work cited at footnote 1.

[21] Cf. Ministry of Information and Arts, *The General Workers Professional Union* (Sofia: 1946), pp. 37-41, in English.

[22] Art. 35(a).

[23] *Trud*, February 22, 1952.

[24] Resolution in Georgi Chankov, *Professionalnite Suyuzi i Tekhnite Zadachi v Borbata za*

467 racy can be . . . their constantly teaching the working class that the only correct road is the organization of patriotic socialist competitions and the fulfillment of the state economic plans."[24] And the Resolution of the Central Committee of the Bulgarian Communist Party[25] added that "the most important role of the trade unions in a proletarian dictatorship is their organizational-economic and educational role—their role as schools of communism."

It seems obvious that trade unions in a democratic country and their Communist counterpart have absolutely nothing in common except their name. In fact, their nature, functions and aims are diametrically opposed to each other. In Bulgaria, they are channels of the Communist government and can be best compared with an economic police force, operating in factories and other places where the economic plans of the government are being implemented.

How, then, is it at all possible to speak about collective bargaining, when the two contracting parties are, in last analysis, representatives of one and the same Communist state authority? Still, the Bulgarian Communists persist in using the term "collective" or "individual labor contract,"[26] although in theory as well as in practice they exclude any conflict-of-interest matters from contractual regulation. Following the Soviet 465 656 example, even wages and standards of output are excluded as subjects of bargaining and reserved for exclusive governmental regulation. Wages in Communist Bulgaria are determined on the basis of "labor norms"—that is, production quotas—prescribed by the government for each category of workers. If a worker is not able to fulfill his norm, he is paid according to the quantity and quality of the finished product. This piece-work system is the antipode of the system of hourly wages and was banished in 1905 as a remnant of Turkish feudalism.[27] 466 Thus, the Bulgarian Government is absolute 656 master in decreeing all important labor

Preustroyavaneto na Sotsializma u Nas (Sofia: 1951), p. 88, in Bulgarian.

[26] Cf. Pt. II, Ch. I and II of the Code of Labor.

[27] Indicative of Communist hypocrisy is the fact that, before 1905, the Bulgarian Communists were bitter opponents of the piece-work system, even for shoemakers, denouncing it as "the most detestable exploitation by the hyenas of private capitalism," Ivan Iliev, *Rabotnichesko Syndicalno Dvizhenije v Bulgaria* (Sofia: 1927), p. 87, in Bulgarian. Communists everywhere, if out of power, violently oppose piece-work, yet introduce and hail it as "the most progressive achievement of the socialist state," once they take over.

466 656 conditions of the alleged individual or collective "agreements," without any negotiation on the part of the workers. Actually, the "labor contract" represents a model form, prepared in advance by the government, and submitted for signature to the labor arm of the government—the trade union committee—thus legally binding all workers to a document in the formulation of which they have not at all participated.

468 656 The secretary of the Bulgarian Communist Party, Chankov, calls the labor contract an "economic-political document . . . a means for the mobilization of the working class for the fulfillment and overfulfillment of the plan" and frankly states that "the job of the trade unions with respect to the collective labor contracts by no means ends with the unions' task to sign the contracts. In fact, it starts only then. The most important aspect of their function is that, after the contracts have been signed, the trade unions exercise uninterrupted control and criticism of the administration of the contracts and mobilize the workers and employees for the contracts' fulfillment." [7]

It is obvious that those "contracts" represent nothing but a legally enforceable document with which the government imposes one-sided obligations upon the Bulgarian workers. The only consideration of the Communists in resorting to them seems to be their desire to give the outside world the impression of free labor relations within the Soviet orbit.

The provisions related to the settlement of labor disputes are also symptomatic in this respect. While using the term "labor disputes," the Bulgarian Communists not only shrink its subject matter to predominantly technical problems on the factory level, but also proclaim the supremacy of the executive over the judiciary in settling the disputes.[8] In practice, the dispute seldom leaves the first stage, the so-called conciliatory commission, composed of the persons who signed the collective agreements and reflecting the identical source of authority—the Communist government. It seldom happens, therefore, that the representatives of the government-employer and of the government-controlled committee are allowed

[7] Work cited at footnote 24, pp. 54-55.

671 [8] Cf., Pt. II, Ch. IX of the Code of Labor. Also, supplementary decrees in *Izvestiya na Presidiuma na Narodnoto Sobranje*, Nos. 38, May 9, 1952, and 47, June 3, 1952. Art. 143 of the Code, in particular, prohibits appeals to conciliation boards and courts for disputes involving disciplinary punishments or dismissal by the trade union or the governmental authori-

468 656 to disagree on the settlement of a labor dispute. If they should, the last word is explicitly reserved for the executive.

The collapse of collective bargaining and the regimentation of the labor force have restricted labor relations to technical questions and have transformed labor law into a means for enforcing governmental policy. The key institution of the Communist system vis-à-vis labor has become the so-called socialist discipline of labor.

466 656 "Socialist labor discipline" represents a system of rules affecting the conduct of the workers in any Communist enterprise, office or organization. Its aim is to increase production and productivity of labor without any particular regard to the real capacities of the national economy and of the labor force, including the individual worker. Within the limits of a governmentally recruited, directed and controlled labor force, "socialist labor discipline" embraces all regulations enacted by the Communist administration of every establishment which fix the specific obligations of the workers. In short, it is the regime under which the worker must perform his daily work, to which he is assigned and which he cannot leave.

It has been said that labor remuneration in Communist Bulgaria is based on the piece-work system. Accordingly, the primary requirement of the administration is that the worker fulfills his daily norm in order to get his full wage. But since norms are established by the State Institute for Labor Norms on the basis of the capacity of 5 to 10 per cent of the most productive workers, the remaining 90 to 95 per cent are driven to catch up by the rigorous labor discipline.[20]

466 671 The only possible way to reach the norm is to work more. That is why Article 43 of the Labor Code announces a "nonfixed working day" and Article 46(a) to (f) allows overtime work for a variety of purposes, in spite of general provisions to the contrary in Articles 39 and 43. The Decree for Overtime Work[21] dispels possible doubts by stating, in its Article 11, that "workers and employees cannot refuse . . . to perform overtime work. If they think that the imposed overtime work is unlawful, they

ties. In such cases the worker or employee may only appeal to higher administrative authorities.

[20] Cf. Leland Stowe, *Conquest by Terror* (New York: Random House, 1952), p. 135. While norms are constantly revised and increased, wages remain almost the same, so that, in 1951 alone, there was an automatic wage reduction of up to 25 per cent (p. 136).

[21] Text of decree in *Trud*, May 1, 1952.

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should report to the committee without discontinuing their work." The decree declares two hours overtime is "lawful," so that the working day in Bulgaria usually consists of ten hours, six days a week, and neither the recesses nor even the time when the workers are paid are included in the working time.[31] Furthermore, "it is an archaic damaging tradition for some workers to be absent from work during religious holidays."[32] And Article 79 of the Labor Code regulates the labor remuneration in cases of work on Sundays and the seven official holidays in a year, thus rendering any day of the year a potential, and usually an actual, working day. A Communist source itself admitted that Bulgarian enterprises "regularly use overtime work and deprive the workers of their week ends."[33]

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Usually, overtime work does not help to fulfill or overfulfill the norm either. But even if it does, the quest for more production and productivity of labor never stops. The principal means for extracting a maximum effort from the workers are the so-called socialist competitions or emulations. They represent officially staged contests between individual workers or among plants to "overfulfill" the established norms. The cruelty of this system lies in the fact that as "competitions" are labelled "voluntary," no worker can claim overtime pay. Furthermore, competitions lead inexorably to the establishment of higher quotas and automatically lower the piece rates of even the general wage level.

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"Socialist competition has become a law of the socialist society and has turned into one of the most important methods for Communist education of the working people, an instrument for making them participate in the governmental build-up and the process of production," the Soviet Encyclopedia frankly states.[34] That Communist Bulgaria follows the identical path is plainly evident from the words of the president of the Bulgarian trade unions, Prakhov, who, in 1951, proclaimed "socialist competitions" as "a permanent system for building socialism" and gave the number of participants at "about 70 per cent" of all Bulgarian workers.[35]

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Within the framework of this almost suicidal drive for ever-increasing daily per-

[31] Art. 49, par. 3, and Art. 71 of the Code of Labor.
[32] *Trud*, December 27, 1951.
[33] *Trud*, October 10, 1951.
[34] *Bolshaya Sovetskaya Encyclopediya*, 2d Ed., Vol. 14; *Disciplina Trudoj*, in Russian.

[204] After metal type for printing has been "set" on a machine like the one whose keyboard is shown on the cover, the type is "locked up" in "chases" on a "stone," which means that it is fastened into a rectangular frame on a table. When the letter-press method is used, the type then goes directly to a press.

466 681 formance, the "socialist labor discipline" represents the most immediate threat facing the worker on the job. Its most important features are absenteeism and inefficiency. Thus, a Bulgarian worker violates the labor discipline and may incur disciplinary or court punishment when he is absent from work, when he is late for work, when he leaves work prematurely, or when he is not efficient enough during his working day.[32] The disciplinary punishment imposed by the administration of the enterprise may range from a warning, reprimand, severe reprimand or transfer, to a lower-paid job in the same or a different enterprise, or dismissal.[33] With the exhaustion of the disciplinary punishments the way is open for criminal prosecution, either under the new Penal Code or under the Law of the People's Militia.[34]

Immediate dismissal is imposed when the worker is "negligent toward his obligations" or "comes to work in evidently drunken condition" and also when he is "absent from work without valid reasons for more than half of a working day as well as late for more than

[32] *Trud*, December 17, 1951.
[33] Cf. Art. 129 of the Labor Code.
[34] Cf. Art. 130 of the Labor Code.
[34] Penal Code in *Izvestiya na Narodnoto Sobranje*, No. 13, February 13, 1951. Law on the People's Militia, cited at footnote 14.

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The Soviet trade unions generally supervise the carrying out of the plans for the construction of dwellings and communal buildings and take part in the distribution of new buildings to the workers, and in this connection their proposals have a decisive importance.—Leonid Nikolaevich Solovyov, Secretary, All-Union Central Council of Trades Unions, USSR.

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half an hour more than twice a month."[39] It should be understood that the minimum consequence of a dismissal is labor mobilization.

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The following remarks of an authority on Soviet labor have full validity for Communist Bulgaria as well: "The fear of being late became a nightmare to workers, many of whom had no watches or clocks, and sent them speeding to work in frantic haste. The same fear made them gulp their lunch as quickly as possible."[40] It sounds unbelievable that such a casual infraction as tardiness can ultimately lead to imprisonment or forced labor.

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As to inefficiency, the recently enacted Decree for Payment of Dead Time and Rejects in Industry, Construction and Transport[41] supplemented the disciplinary punishments of the Labor Code by introducing financial liability for stoppage and defective output. The most unusual feature represents the fact that a worker is deprived of up to 30 per cent of his wage even if he is not responsible for the stoppage or defective output.[42]

This Communist anomaly is even more clear in the provisions regulating the financial responsibility for damages caused to the enterprise. Guided by the principle that "socialist property" is more precious than

[39] Grounds for dismissal in Art. 33 of the Labor Code.

[40] Work by Schwarz, cited at footnote 1, p. 105.

[41] *Izvestiya na Presidiuma na Narodnoto Sobranje*, No. 32, April 21, 1953.

[42] Art. 2 and 7 of the Decree for Payment of Dead Time and Rejects.

[43] Cf. Arts. 1 and 51 of the Penal Code of the Russian Soviet Socialist Republic (*Ugolovnij Kodex RSFSR*, in Russian). Also, Arts. 1 and 31 of the Bulgarian Penal Code of 1951.

[44] Art. 98 of the Labor Code.

[45] Cf. Art. 2 of the Penal Code.

[46] Art. 206, par. 2 of the Labor Code.

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[47] This complete disregard for tradition and objective conditions has so much disorganized the national economy and antagonized the

465 human life and that the "social harm" of an offense is all that matters,[a] Communist legislation makes a worker "responsible for an amount higher than the actually caused damages,"[a] besides, of course, his liability under criminal law.

It is evident that all these financial liability provisions not only reduce the already very low wages of the Bulgarian workers but also violate internationally accepted legal principles—such as the exclusion of liability exceeding actual damage or of liability without guilt or negligence. This is not surprising if one bears in mind that the Bulgarian Penal Code also recognizes the application of the principle of analogy in criminal law,[a] and the Labor Code proclaims the principle that "acts of indictment have the force of proof until the contrary is proven"[a]—that is, one is presumed guilty unless he proves his innocence.

177. 46 466 185 Analysis of labor and relations in Communist Bulgaria leads to the conclusion that the Bulgarian labor pattern is a carbon copy of the Soviet original. Neither democratic traditions nor social harmony have been taken into consideration. In their blind imitation, the Bulgarian Communists are trying to change the [illegible]ry basis of Bulgarian economy—from agriculture to heavy industry—as if they were mightier than the very nature which deprived the country of the elements required for such a transformation. Their only guiding light is the Soviet example, no matter how detrimental its application on Bulgarian soil might be.[a]

000 The Bulgarian case—most suitable to test Communism in export—has brutally refuted any illusion that Communism can be "different" if applied in more advanced societies. The tragic paradox of the Communist experiment with the Bulgarian workers is that the alleged primary beneficiaries of the new "socialist order" have, instead, received the harshest possible deal. [The End]

661 461 population that purges of scapegoats and acts of dispair have been a permanent feature in Bulgaria as well. The workers, in particular, have defied pointed guns during the recent open unrest in Plovdiv, the second largest Bulgarian city, and in many other cities (Pleven, Pernik, Haskovo, Gorna Dzhumaja). In order to prevent the worst, the government, under Moscow's guidance, has announced a so-called new course, consisting of promises to raise the living standard and to relax the socialist labor discipline. The implementation of these promises is still to come. They clearly imply, however, that the Communist experiment has not succeeded in either converting the Bulgarian workers to Communism or breaking their spirit of resistance. (For details, see work cited at footnote 29, Ch. VIII-X.)

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